

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA

JHEN SCUTELLA

Plaintiff

v.

ERIE COUNTY PRISON,
AMBER CHAFFE,
MICHAEL HOLAMAN, and
DEPUTY WARDEN BRYANT

Defendants

CIVIL ACTION

NO.: 1:19-CV-00168-RAL

**RESPONSE TO PLAINTIFF'S MOTION FOR INJUNCTIVE RELIEF, TEMPORARY
RESTRAINING ORDER AND EXTRAORDINARY RELIEF**

AND NOW, come the Defendants, Erie County Prison, Amber Chaffee, (Deputy Warden) Michael Holman, and Deputy Warden (Ronald) Bryant, by and through their attorneys, Marshall Dennehey Warner Coleman and Goggin, Patrick M. Carey, Esquire, and G. Michael Garcia II, Esquire, and file the within Response to Plaintiff's Motion for Injunctive Relief, Extraordinary Relief, and Temporary Restraining Order as follows:

1. On February 18, 2020, Jhen Scutella ("Plaintiff") filed a Motion for Injunctive Relief, Temporary Restraining Order, and Extraordinary Relief at the above captioned docket. [ECF No. 31].
2. Plaintiff has two additional civil rights actions pending before the Court: Scutella v. Erie County Prison et al., Case No. 19-245 and Scutella v. Erie County Prison et al., Case No. 19-354.
3. Plaintiff's instant motion for injunctive relief [ECF No. 31], is nearly identical to a prior motion for injunctive relief filed on February 14, 2020, at Scutella v. Erie County Prison et al., Case No. 19-245, ECF No. 50.

4. On February 24, 2020, the Defendants filed a Response to Plaintiff's motion for injunctive relief at case 19-245. (See Scutella v. Erie County Prison et al., Case No. 19-245, ECF No. 52).

5. In response to Mr. Scutella's pending motion at the above captioned docket [ECF No. 31], the Defendants hereby incorporate by reference, as if fully set forth herein, their Response filed Scutella v. Erie County Prison et al., Case No. 19-245, ECF No. 52.

WHEREFORE, for all the reasons set forth in the Defendants Response at Scutella v. Erie County Prison et al., Case No. 19-245, ECF No. 52, the Defendants, The Erie County Prison, Amber Chaffee, (Deputy Warden) Michael Holman, and Deputy Warden (Ronald) Bryant, respectfully request that this Honorable Court deny Plaintiff's Motion for Injunctive Relief, Temporary Restraining Order, Extraordinary Relief.

Respectfully submitted,

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

By:  _____

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the within Response to Plaintiff's Motion for Injunction, Temporary Restraining Order, Extraordinary Relief, was mailed to the following listed below this 25th day of February, 2020, by electronic filing, courthouse box or United States First Class mail, postage pre-paid.

Jhen Scutella, #21382
Erie County Prison
1618 Ash Street
Erie, PA 16503

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

By: 
G. Michael Garcia II, Esquire